

REMARKS

This application has been reviewed in light of the Office Action dated July 20, 2006. Claims 14-16, 19, 21, 22, 27 and 71-77 are presented for examination, of which Claims 14, 27, 72 and 75-77 are independent form. Claims 14, 19, 22, 27, 72 and 74-77 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Initially, Applicants have noted a typographical error in the Form PTO-1449 of the Information Disclosure Statement that was filed on January 26, 2006, in that JPA 2-125544, laid open on May 14, 1990, was erroneously listed as "JPA 6-125544" (a completely unrelated document that was laid open on May 6, 1994). This typographical error is self-evident, but to ensure that the record is clear, Applicants submit herewith a new form PTO-1449 to replace the one submitted with that Information Disclosure Statement.

In the outstanding Office Action, Claims 14-16, 19, 22, 27 and 71-77 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 5,742,745 (Sugikawa), and Claims 21 and 24-26, as being obvious from *Sugikawa* in view of U.S. Patent 5,691,979 (Cadd).

Independent Claim 14 is directed to a radio communication apparatus that comprises requesting means for requesting from a first communication apparatus which manages a plurality of group identification information, a group identification information for a group formed by a part of communication apparatuses in a communication system.

Inquiring means inquire of a second communication apparatus whether the second communication apparatus participates in group communication using the group identification information transmitted by the first communication apparatus in response to the request by the requesting means, and communicating means perform the group communication in the group with the second communication apparatus on the basis of the group identification information, in accordance with a response from the second communication apparatus in response to the inquiry by the inquiring means.

Independent Claim 72 is directed to a radio communication apparatus that comprises a requesting unit adapted to request from a first communication apparatus which manages a plurality of group identification information, a group identification information a group formed by a part of communication apparatuses in a communication system, and an inquiring unit adapted to inquire of a second communication apparatus whether the second communication apparatus participates in group communication using the group identification information transmitted by the first communication apparatus in response to the request by the requesting unit. Also provided is an informing unit adapted to inform the second communication apparatus of the group identification information, in accordance with a response from the second communication apparatus in response to the inquiry by the inquiring unit.

Among other notable features of these claims, is that a first function, managing a *distinctive* group identification information for a group of communication apparatuses, and another function, of forming such a group and performing the group

communication in the group, are separated from each other, with one function centralized at a first communication apparatus, and the other, decentralized so as to be performed by any radio communication apparatus(es). By virtue of this feature, group communication can be dynamically performed by any radio communication apparatus(es) having the mentioned second function, and yet all of the group identification information transmitted by the first communication apparatus can be managed so as to be distinctive respectively. Additionally, the above effects can be accomplished by means of a simple structure and a simple manner of control of the communication apparatuses.

Regarding the rejection of Claims 14 and 72, the Office Action relies, in part, on *Sugikawa*'s controller unit 402 and group communication method (see Fig. 8 and col. 17, lines 43-55).

Sugikawa relates to a group of service-producing devices, in which "communicability with the group can be automatically obtained without prior registration of device information in the respective devices or in any specified device" (abstract). Specifically, a controller unit of a data processing device prepares a group, "periodically transmits a device confirmation packet to all devices," and judges whether the responding devices are communicable devices (col. 16, lines 61-66, and col. 17, lines 3-10). The controller unit then provides a group identification number to the devices forming the group as well as transmitting a notice of grouping together with the identification numbers of devices forming the group (col. 17, lines 23-27 and 30-32).

Even if *Sugikawa*'s controller unit is viewed as assigning a group identification number to a plurality of devices, however, the controller unit is not designed to respond to requests in order to be assigned a group identification. Instead, the controller unit periodically transmits a device confirmation packet to all devices, and further, provides a group identification number and a notice of grouping to communicable devices.

In *Sugikawa*, therefore, any devices having the controller unit 402, which (1) judges which devices can participate in communication, (2) makes a logical group of a subset of the communicable devices, (3) provides a group identification number to the logical group, and (4) controls group communication in the logical group, can perform both what is above called the "first function", and what is above called the "second function". It follows that in order for all of the assigned group identification numbers to be distinctive from each other, *Sugikawa* must have the data recorder unit 404 recoding *all* of the group identification numbers and the identification numbers of the devices constituting *all* of the groups in every data processor 400 of the devices, and must control to provide the group identification number using the data recorder unit 404 in every data processor 400 of those devices. That is, the *Sugikawa* system is a completely decentralized communication, in which both the first and the second functions mentioned above are handled in a decentralized way.

Applicants submit that such a system could not have led a person of merely ordinary skill to the idea of using a centralized group identification assigning function and a decentralized group forming and group communication performing function, as is done

according to both Claim 14 and Claim 72. As discussed above, this structure of the apparatuses of Claims 14 and 72 provides the ability to perform group communication with the distinctive group identification information dynamically, by means of a simple structure and by means of a simple manner of control.

Moreover, since the basic concept of the *Sugikawa* communication system is different from that of the apparatuses defined in Claims 14 and 72, the *Sugikawa* device does not have, and cannot suggest, request means for requesting a group identification information, inquiring means for inquiring the group communication using the transmitted group identification information, or communicating means for performing the group communication in a group of the communication apparatuses responding to the inquiry, for example, as recited in Claim 14. Similarly, the *Sugikawa* system does not have, and cannot suggest, an informing unit adapted to inform the second communication apparatus responding to the inquiry of the group identification information, for example, as recited in Claim 72.

For all these reasons, Claims 14 and 72 are deemed to be allowable over *Sugikawa*.

Independent Claims 27 and 77 are method and program claims, respectively, corresponding to apparatus Claim 14, and independent Claims 75 and 76 are method and program claims, respectively, corresponding to apparatus Claim 72. Claims 25 and 75-77 are believed to be patentable for at least the same reasons as discussed above in connection with Claims 14 and 72, respectively.

A review of the other art of record, including *Cadd*, has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. In any event, however, entry of this Amendment After Final Rejection, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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